

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

PATRICIA CLEMENSON,

Plaintiff,

v.

THE CBE GROUP, INC.,

Defendant.

Case No. 3:18-cv-01309-S

AGREED PROPOSED SCHEDULING ORDER

Pursuant to this Court's August 14, 2018 Order as well as Fed. R. Civ. P. 26(f), the parties submit the *proposed* Scheduling Order.

1. Proposed time limit to file motions for leave to join other parties.

All parties must be added and served, whether by amendment or third party practice, by **November 28, 2018**. The party causing the joinder shall provide a copy of this Scheduling Order at the time of service.

2. Proposed time limit to amend pleadings.

All amendments and supplements must be filed by **November 28, 2018**.

3. Proposed time limit to file various types of motions.

All motions must be heard on or before **March 28, 2019**.

4. Proposed time limit for designation of experts.

A. Plaintiff's designation of experts.

Plaintiff shall designate experts on or before **December 28, 2018**.

B. Defendant's designation of experts.

Defendant shall designate experts on or before **December 28, 2018**.

5. Proposed time limit for designation of rebuttal experts.

Defendant shall designate rebuttal experts on or before **January 28, 2019**.

6. Proposed time limit for objections to experts.

On or before **February 28, 2019**, the parties shall file any types of motions to object to experts.

7. Proposed plan and schedule for discovery, a statement of the subjects on which discovery may be needed, a time limit to complete factual discovery and expert discovery, and a statement of whether discovery should be conducted in phases or limited to particular issues:

A. Statement of the subjects on which discovery may be needed:

Discovery from the parties related to communications between the parties, Plaintiff's knowledge of the allegations, the telephone system used by Defendant, Plaintiff's alleged damages, and Defendant's policies and procedures.

B. Time limit to complete factual discovery and expert discovery:

The parties shall complete fact witness discovery of all parties on or before **December 28, 2018**, unless agreed to by all the parties. All written discovery requests shall be sent at least 35 days prior to this date. All expert discovery is to be completed on or before **February 28, 2019**.

C. Whether discovery should be conducted in phases or limited to particular issues:

No proposal regarding phased discovery.

8. What changes should be made in the limitations on discovery imposed under the Federal Rules of Civil Procedure or by local rule, and what other limitations should be imposed.

No proposal regarding limitations on discovery.

9. Proposed means for disclosure or discovery of electronically stored information ("ESI") and a statement of any disputes regarding the disclosure or discovery of ESI.

The parties shall produce electronically stored documents in .pdf format, unless native format is expressly requested.

- 10. Proposed handling and protection of privileged or trial-preparation material that should be reflected in a court order.**

The parties shall provide a proposed protective order for the production and handling of privileged information, *if any*.

- 11. A proposed pre-trial date.**

July 11, 2019 at 1:30 PM.

- 12. A proposed trial date, estimated number of days required for trial, and whether a jury has been properly demanded.**

Proposed trial date is **July 25, 2019** requiring 3 days for trial and Plaintiff did timely demand a jury trial.

- 13. A proposed date for further settlement negotiations.**

The parties shall have further settlement negotiations on or before **November 28, 2018**.

- 14. Objections to Fed. R. Civ. P. 26(a)(1) asserted at the Scheduling Conference, and other proposed modifications to the timing, form, or requirement for disclosures under Rule 26(a), including a statement as to when disclosures under Rule 26(a)(1) were made or will be made.**

The parties will exchange Rule 26(a)(1) disclosures on or before September 7, 2018.

- 15. Whether the parties will consent to trial (jury or non-jury) before a United States Magistrate Judge.**

The parties do not consent to trial before a United States Magistrate Judge.

- 16. Whether the parties are considering mediation or arbitration to resolve this litigation and a statement of when it would be most effective (e.g., before discovery, after limited discovery, after motions are filed, etc.), and, if mediation is proposed, the name of any mediator the parties jointly recommend to mediate the case.**

The parties shall attend mediation with Marty Lowy following discovery.

- 17. A proposed deadline for mediation**

March 28, 2019.

18. **Any other proposals regarding scheduling and discovery that the parties believe will facilitate expeditious and orderly preparation for trial.**

At this time, the parties have no other proposals regarding scheduling and discovery.

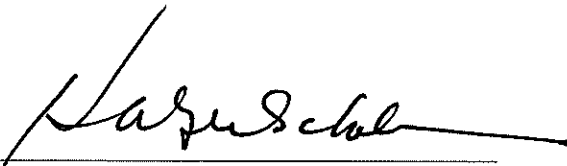
19. **Whether a conference with the Court is desired and the reasons for requesting a conference.**

At this time, the parties do not believe a conference with the Court is necessary.

20. **Any other matters relevant to the status and disposition of this case, including any other orders that should be entered by the Court under Fed. R. Civ. P. 16(b), 16(c), and 26(c).**

None.

Signed October 2, 2018.


KAREN GREN SCHOLER
UNITED STATES DISTRICT COURT

Dated: September 28, 2018

/s/ Joseph Scott Davidson

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